

**TOWN OF POLK
SPECIAL TOWN BOARD MINUTES
September 1, 2009**

I. Call Meeting to Order - 7:30 P.M., Plan Commission to follow - a Special Meeting of the Town of Polk Town Board was called to order by Chairman Albert Schulteis at 7:30 p.m. at the Polk Town Hall. Chairman Schulteis started the meeting with the Pledge of Allegiance.

A. Official Meeting Notice - Chairman Schulteis reported that the notice of the meeting was published two times in the West Bend Daily News. The notice was sent to the West Bend Daily News, the Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel, Village of Jackson, Village of Slinger, Village of Richfield and posted at the Town Hall, Highway View School, Cedar Hills bulletin boards, and also posted on the Town of Polk website. The notice of Open House and Public Hearing was also published on July 28, 2009 in the West Bend Daily News.

B. Roll Call - Members present: Chairman Albert Schulteis, Supervisor Harold Groth, Supervisor Ted Merten, and Catherine Whelan, Clerk

II. Public Hearing - Remarks Limited to two minutes per person.

A. Town of Polk Comprehensive Plan: 2035 -

Chairman A. Schulteis stated the agenda for this meeting is to conduct a Public Hearing for the Town of Polk Comprehensive Plan: 2035. Remarks are limited to 2 minutes per person.

Chairman A. Schulteis opened the meeting for public input.

Jeff Gonyo - 2668- Hwy. 164 - handed in 16 pages of changes that he would like to see in the Town of Polk Comprehensive Plan. (See pages #).

The first change should be that the Town of Polk strongly oppose the Highway 164 expansion through the Town of Polk and oppose expansion of Pioneer Road.

The second change is a concern with worsening groundwater contamination problems in the Ackerville Area. The CD is available to be heard at the Clerk's Office.

The third change is the Helsan Business Park should be returned to the Town of Polk. Mr. Gonyo stated he has a law suit against the Village of Richfield to over turn the annexation.

The fourth change is Walter Becker property is improperly zoned mix use. All properties around this land are zoned agricultural rural residential.

Mr. Gonyo strongly urges that the Town Board make the changes he has addressed.

Carol Loeffler - 4173 Sleeping Dragon Road - stated after reviewing the plan it looks very good, but she has one question is there any way to prevent many parts of the Town of Polk from being annexed to the Villages.

Chairman Schulteis stated the only way we can address this issue is that Cities and Villages have extraterritorial rights. This means they have the say with whatever happens within 1 ½ miles of their boundaries. Cities have a 3 mile radius. Anytime we have a land division the land owner must go to the village or city for review and approval. This is the law and the procedure we must follow.

Paul Kolosso - 4320 Cedar Creek Road - asked for the pros and cons and procedures for the Town to become a Village so the Town can control its own destiny.

Chairman Schulteis stated it will not happen because we do not have the population or the diversity and the density needed to become a village.

Al Wilhelmi - 2768 Slinger Road - the State has the Town and us as second class citizens. We have to push to become first class citizens to have some say into our lives. Everyone has to let the State know what the needs are of the Town and it's residents.

John Cichon - 2544 Elderberry Lane - questioned when looking at the comprehensive plan how did this mixed use come about on Pioneer Road and Hwy. 164

Willard Heppe stated if it is mixed use, which can be used for local business, a buyer is more likely to stay in the Town of Polk. If it is agricultural zoning a developer would purchase the land and annex into the Village to create small lots.

Roger Romens - 3421 Birnamwood Dive - asked what we can do to protect the Town from being annexed. The plan itself looks good.

Chairman Schulteis stated annexations have to be request by someone. It is usually the developer who annexes into the Villages and Cities because they are the only ones to gain from the annexation. The normal property owners would not request to be annexed because the only thing they would gain are higher taxes. Not too many property owners ask to be annexed, only if they have a sewer or septic problem.

Dennis Loeffler - 4173 Sleeping Dragon Road - on Hillside the Cedar Lake Conservation Foundation has stopped annexation it that area. North on Hillside the farmer wanted to retire and had a hard time selling his property. Maybe the five-acre lot size should be changed or could it be possible to change the zoning, or make up the difference to the land owner that the developer would pay, to keep the land in the Town.

Chairman Schulteis stated the Town cannot fund the difference of the sale of property in order for the land to stay in the Town. Possibly the Town could make a change of density near villages. We cannot do it for the simple reason you have to treat everyone the same no matter where you are. SEWRPC has gone through this situation before and has advised us what we can or cannot do.

Chairman Schulteis state we are looking at a number of things right now to slow or stop annexation.

Nancy Anderson, SEWRPC, had written remarks to read into the record.

The first comment is from **David Link - 2949 Scenic Road** - he stated he attended a meeting where the State of Wisconsin said they were going to change Hwy. 175. Mr. Link lives at the corner of Hwy. 175, Scenic and close to Western Ave. where they purpose to square Scenic Road to Hwy. 175 taking away his property. He opposes the State taking away his property. Mr. Link would rather have more property than less. Mr. Link's recommendation for the State of Wisconsin is to connect Scenic Road to Western Ave.

The seconded suggestion having no signature or name is for the Town to look at a conservation easement program similar to the Town of Dunn in Dane County to protect agricultural land.

There is a program in Chapter V of the plan. The Town of Polk does not support the use of regulatory tools to preserve farmland. The Town believes that farmland preservation should be on a volunteer basis so the agricultural land owner can choose to be a working land enterprise area or participate in a purchase of a development right program. The Town would encourage such programs provided they are funded by Federal, State or County funds. This is the policy of the Town of Polk.

Clerk Whelan stated we did get a letter from the Village of Richfield supporting our plan.

Chairman Schulteis asked if there are any further comments, with none the Public Hearing was closed.

III. Adjournment -

A motion to adjourn was made by Supervisor Ted Merten and seconded by Supervisor Harold Groth. Motion carried and Special Town Board meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Catherine Whelan
Town Clerk